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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/588,778 06/05/00 YOUNG

S 97-401

EXAMINER

PM82/0502

BRUCE DAY
SWANSON MIDGLEY LLC
SUITE 400
2420 PERSHING
KANSAS CITY MO 64108

SHRIVER II, J	
ART UNIT	PAPER NUMBER

3611

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DATE MAILED:

05/02/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary	Application No. 09/588,778	Applicant(s) YOUNG, SCOT	
	Examiner J. Allen Shriver	Art Unit 3611	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on _____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 6 is/are rejected.
- 7) ☒ Claim(s) 5 is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☒ The proposed drawing correction filed on 20 April 2001 is: a) ☒ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- | | |
|---|--|
| 15) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 18) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 16) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 19) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 17) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>2</u> | 20) <input type="checkbox"/> Other: |

DETAILED ACTION

Drawings

1. The proposed drawing correction and/or the proposed substitute sheets of drawings, filed on April 20, 2001 have been approved.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. **Claim 6 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.** The phrase “the engaging legs releasing the outrigger legs upon application of foot pressure” is unclear and indefinite. It is unclear where the foot pressure is applied. Examiner suggests using the claim language of Claim 5 regarding the release of the engaging legs from the outrigger legs.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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5. **Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kresse et al. (US Patent 5,913,528) in view of Wells (US Patent 4,319,761).** Kresse discloses a detachable trolley and trailer combination having a trolley (1) having a frame adapted for carrying cleaning supplies, the trolley having wheels (4) for moving over a floor surface, the trolley and the trailer separately and independently movable and having a connection (5) between them for selective attachment to securely connect the trailer to the trolley so that the combined trolley and trailer can be easily maneuvered by one person; wherein the trolley has spaced apart front legs terminating in wheels (See Fig. 1) and forming a recess (11) therebetween with the trailer (mop bucket) sized to fit at least a portion of the trailer (mop bucket) with the recess.

Kresse doesn't specifically disclose the trailer being a mop bucket having wheels thereon and movable over a floor surface. Wells teaches a mop bucket connector that connects two or more mop buckets together (See Figs. 1-2). At the time of the invention, it would have been obvious to a person of ordinary skill in this art to substitute a mop bucket for the trailer in Kresse in view of the teaching of Wells. The motivation for doing so would have been to wheel both around as a single unit, thereby greatly reducing the amount of labor involved (See Wells, column 1, lines 20-25).

Regarding Claim 3, Wells discloses wherein the bucket is supported on front and rear pairs of outrigger legs (10) with the wheels mounted at the ends of the legs (See Fig. 1). The outrigger legs of the mop bucket disclosed in Wells would fit within the trolley recess of Kresse.

Regarding Claim 4, Kresse discloses wherein a connection mechanism (5) extends between the spaced front legs of the trolley and the legs of the trailer received in the trolley

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recess. Modifying Kresse with Wells to substitute the mop bucket for the trailer would meet the claimed structure specified in Claim 4.

Allowable Subject Matter

6. Claim 5 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

7. Claim 6 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to J. Allen Shriver whose telephone number is (703) 308-1224. The examiner can normally be reached on M-F (7:30-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J.J. Swann can be reached on (703) 306-4115. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 306-4195 for regular communications and (703) 306-4195 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

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JAS

May 1, 2001

Eric Culbreth

ERIC CULBRETH
PRIMARY EXAMINER

5/1/01